

HONORABLE JUDGE  
JOSEPH J. FARNAN JR.  
U.S.DISTRICT COURT  
844 N.KING STREET  
WILMINGTON,DE.

06-018-JJF

OBJECTION TO DEFENSE  
REQUEST TO DISMISS

- 1) THAT DELAWARE STATE LAW SAYS A POLICE OFFICER MAY TAKE REASONABLE ( STEPS) NOT FORCE TO OBTAIN A CHEMICAL TEST.
- 2) THAT FORCE TO OBTAIN A CHEMICAL TEST IN A MISDEMEANOR DWI CASE CAN ONLY BE USED IF VEHICULAR MANSLAUGHTER OR INJURY OCCURS DURING A DWI UNDER DELAWARE LAW.
- 3) THAT THE SUPREME COURT STATES THAT IF BLOOD SAMPLES ARE TAKEN FOR OTHER REASONS SUCH AS VEHICULAR INJURIES OR OTHER MEDICAL REASONS DUE TO THE COARSE OF THE DWI, THAN THE BLOOD SAMPLES CAN BE OBTAINED FOR EVIDENCE.
- 4) THAT MISDEMEANOR DWI CASES ARE STILL PROTECTED BY THE 4<sup>TH</sup>. AMENDMENT OF THE CONSTITUTION.

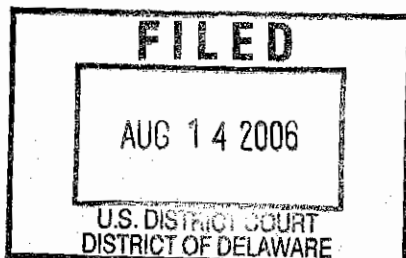
CONCLUSION

THAT OFFICER LEGATES AND OFFICER WHEATLEY UNDER DIRECTION OR CAUSE OF INCOMPETENT TRAINING DID USE UNREASONABLE AND EXCESSIVE FORCE TO OBTAIN EVIDENCE AGAINST PLAINTIFF H.LEIGHTON LASKEY BY DRAGGING HIM FROM THE POLICE CRUISER AND ASSAULTING THE PLAINTIFF AT BEEBE HOSPITAL IN DELAWARE ON JANUARY 3<sup>RD</sup> 2004. THAT DEFENSE REQUEST PLEASE BE DENIED.

RESPECTFULLY

*H. Leighton Laskey* 9-10-06  
H.LEIGHTON LASKEY  
527 BALTIC AVE  
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I H.LEIGHTON DUE ATTEST THAT A COPY OF THIS OBJECTION WAS SENT TO BRUCE C. HERRON 1220 N.MARKET ST.SUITE 300 P.O. BOX 25047 WILMINGTON DELAWARE 19899 8-10-06 *H. Leighton Laskey*



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